

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

MARVIN J. HUMPHREY

PLAINTIFF

v.

Case No. 05-2138

SHERIFF REED HAYNES,
MARGARET LEWIS; MATT
HAMILTON; RYAN CIAMPOI;
JOSH ROSS; DUSTIN BRADSHAW;
DEREK NIETERT; and MATT KIMREY

DEFENDANTS

ORDER

Now on this 17th day of November 2008, there comes on for consideration the report and recommendation filed herein on October 16, 2008, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 112). Plaintiff filed written objections to the report and recommendation. (Doc. 113).

The court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Plaintiff's claims of denial of medical testing, denial of dental treatment, unclean conditions of confinement, denial of access to an attorney and to the law library, inhumane treatment, and violation of the right against self-incrimination are DISMISSED WITH PREJUDICE.

As to Plaintiff's claim that he was denied medical treatment,

the claim will proceed to a jury trial against Separate Defendants Ciampoi, Lewis and Haynes, but is DISMISSED WITH PREJUDICE against the remaining Defendants.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge